

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

**THOMAS BUTLER,**

**Plaintiff,**

**v.**

**NANCY A. BERRYHILL,  
Commissioner of Social Security,**

**Defendant.**

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**CIVIL NO. 3:17cv111-HEH**

**FINAL ORDER**

**(Adopting Report and Recommendation of the Magistrate Judge)**

This matter is before the Court on the Report and Recommendation of the Magistrate Judge (R&R) entered on February 21, 2018 (ECF No. 15). The time to file objections has expired and neither party has objected to the R&R. Having considered the matter and deeming it otherwise proper and just to do so, it is hereby ORDERED:


- (1) The Report and Recommendation of the Magistrate Judge (ECF No. 15) is ACCEPTED and ADOPTED as the OPINION of the Court.
- (2) Plaintiff's Motion for Summary Judgment (ECF No. 11) is GRANTED.
- (3) Defendant's Motion for Summary Judgment (ECF No. 13) is DENIED.
- (4) The decision of the Commissioner is VACATED and REMANDED.

Let the Clerk of the Court send a copy of this Final Order to Plaintiff and all counsel of record.

It is so ORDERED.

Richmond, Virginia

Date: March 13, 2018

 _____ /s/ Henry E. Hudson United States District Judge
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